



Entered on Docket
December 29, 2009

A handwritten signature in dark ink, appearing to read "Linda B. Riegler".

Hon. Linda B. Riegler
United States Bankruptcy Judge

RICK A. YARNALL
CHAPTER 13 BANKRUPTCY TRUSTEE
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UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

IN RE:

VICTOR VEGA ESCAMILLA
OLIVIA ESCAMILLA

Debtors

Chapter 13
BKS-09-27149-LBR

ORDER DISMISSING CASE FOR FAILURE TO
MAKE PLAN PAYMENTS AND DENIAL OF
CONFIRMATION

Hearing Date: 12/10/2009
Hearing Time: 1:30 PM

The Trustee's Opposition to Confirmation of Plan Combined with Trustee's Recommendation of Dismissal filed in the above-captioned matter having on for hearing, the following parties have appeared: ☒ Trustee ☐ Debtors ☐ Attorney for Debtors ☐ Other, and said Motion having been considered by this Court, and good cause appearing therefore;

IT IS HEREBY ORDERED that confirmation of the Plan is denied and that the above-captioned proceedings under Chapter 13 be DISMISSED for the following reason(s):

- Debtors failed to appear [11 USC 341(a)]
- Debtors failed to commence Plan payments [11 USC 1326(a)(1)]
- Delinquent Plan payments.
- Debtors failed to timely file Schedules, Statements, and/or Plan [B.R. 1007(a)(c)]
- The Debtors have failed to cooperate with the Trustee [11 USC 521(3)] as the following document(s) were not provided: ☒ tax returns ☒ pay stubs ☐ profit & loss statements ☐ other:

IT IS FURTHER ORDERED that the Trustee is allowed \$150.00 as and for expenses in the administration of this case.

DATED: 12/23/2009

Submitted by:

/s/ RICK A. YARNALL

Rick A. Yarnall

Chapter 13 Trustee

(clc)

LR 9021 certification language:

In accordance with LR 9021, counsel submitting this document certifies as follows (check one);

☐ The court has waived the requirement of approval under LR 9021.

☒ This is a chapter 7 or 13 case, and either with the motion, or at the hearing, I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

None - no parties appeared

☐ This is a chapter 9, 11, or 15 case, and I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

☐ I certify that I have served a copy of this order with the motion, and no parties appeared or filed written objections.

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